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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,238	10/08/2003	Gregory S. Lindhorst	003797.00727	5842

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EXAMINER

INGBERG, TODD D

ART UNIT	PAPER NUMBER
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2193

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/680,238

Applicant(s)

LINDHORST ET AL.

Examiner

Todd Ingberg

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 10, 11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) 4-9 and 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 10, 11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) ☒ Notice of References Cited (PTO-892) | 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) ☐ Notice of Informal Patent Application (PTO-152) |
| 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/8/2003</u> . | 6) ☐ Other: _____ |

DETAILED ACTION

Claims 1-3, 11 and 13 have been examined.

Claims 4-9 and 12 have been canceled with a Preliminary amendment.

Specification

1. Preliminary amendment of October 8, 2003 canceled claims 4-9 and 12 and changed the Specification.
2. The disclosure is objected to because of the following informalities: the Specification contains URLs which can cause a browser to active. The URLs need to be rendered incapable of being able to be activated. Appropriate correction is required.

Drawings

3. Drawings filed October 8, 2003 have been accepted.

Information Disclosure Statement

4. The Information Disclosure Statement filed October 8, 2003 has been considered.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1-3, 11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Template Software commercial product line released in 1997.

The **Template** product line contains:

The SNAP programming language (Not used in this Office Action)

The Workflow Template (Two manuals used)

The Web Component (Not used in this Office Action)

These three layered products work together.

The documentation sets for the products contains the following manuals.

SNAP released June 1997

SNAP Language Reference (Not used in this Office Action)

Using the SNAP Language (Not used in this Office Action)

Using the SNAP Communication Component (Not used in this Office Action)

Using the SNAP Graphic User Interface Component (Not used in this Office Action)

Getting Started with SNAP (Not used in this Office Action)

Using the SNAP Display Editors (Not used in this Office Action)

SNAP Class Library Reference (Not used in this Office Action)

Using the SNAP External Application Software Component (Not used in this Office Action)

Using the SNAP Development Environment (Not used in this Office Action)

SNAP Module Library Reference (Not used in this Office Action)

Using the SNAP Permanent Storage Component (Not used in this Office Action)

Workflow released September 1997

Developing a WFT Workflow System (Not used in this Office Action)

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Using the WFT Development Environment (Referred to as **Using**)

WFT Library Reference (Not used in this Office Action)

Web Component

Using the Web Component (Not used in this Office Action)

Since, these products work together they constitute a single reference and can be used as the basis for a rejection based on anticipated by a product offering. Furthermore, with the 1997 press release announcing version 8.0 these considered prior art under *In re Epstein* 31 USPQ2d 1817 (decided August 17, 1994) with a 1997 release date despite the 1998 copyright date.

Claim 1

Template anticipates a user interface for providing a designer with an enhanced programming environment comprising: a first display portion representing a page (Using, pages 6-21 to 6-67 defining GUI screens and Using, pages 2-1 to 2-45, the WDE), the first display portion receiving dragged and dropped objects (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace); a second display portion representing a library of the objects for dragging and dropping the objects into the first display portion (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace) , said objects executable on one of a server and a client (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace), said objects including script that executes on one of a server and a client (Using, Chapters 7 and 8, Chapter 7, Using the Application Editor, provides the ability to define roles such as client server etc and define the tasks to be operated on the particular role and Chapter 8, Using the Deployment Editor, is the actual deploying of the topology); a third display portion for configuring at least one of a method or property of one of the objects after the one of the objects has been dragged and dropped into the first display portion (Using, pages 4-34 to 4-47, define classes and attributes and functions).

Claim 2

The user interface according to claim 1, further comprising: a fourth display portion providing a selection between scripting the object for said server or for said client (Using, Chapters 7 and 8, Chapter 7, Using the Application Editor, provides the ability to define roles such as client server etc and define the tasks to be operated on the particular role and Chapter 8, Using the Deployment Editor, is the actual deploying of the topology).

Claim 3

Template anticipates a system for providing a designer with an enhanced programming environment (Template product line SNAP, Workflow and Web Component) comprising: a

library of objects capable of being dragged and dropped onto a page (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace), said objects including script that executes on one of a server and a client (Using, Chapters 7 and 8, Chapter 7, Using the Application Editor, provides the ability to define roles such as client server etc and define the tasks to be operated on the particular role and Chapter 8, Using the Deployment Editor, is the actual deploying of the topology); a first display portion representing a page, the first display portion receiving dragged and dropped objects (Application determines the topology including Client Server Architecture); a second display portion displaying said library of objects (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace), said system providing for dragging and dropping the objects from said second display portion into the first display portion (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace); and a third display portion for configuring at least one of a method or property of one of the objects after the one of the objects has been dragged and dropped into the first display portion (Using, pages 4-34 to 4-47, define classes and attributes and functions).

Claim 10

The system according to claim 3, further comprising a second page calling said object located on said page. (Using, pages 4-34 to 4-47, second page for definition of classes and attributes and functions)

Claim 11

The system according to claim 3, further comprising a storage accessible by said server for storing said page as including said object being scripted for at least one of said server or said client (Using, page 2-43 – cd files and Using 4-3).

Claim 13

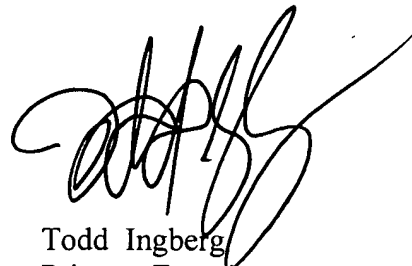
Template anticipates a method for designing a page in a first language model (Using, page 4-5, Object model is a language) comprising the steps of dragging and dropping objects from a first display object library onto a page (Using, page 2-26, Drag and Drop employed in environment and Using, page 4-5, class list drag class from class list box to workspace); setting the properties associated with objects (Using, pages 4-34 to 4-47, define classes and attributes and functions) ; designating whether said objects should execute on a server or on a client (Using, Chapters 7 and 8, Chapter 7, Using the Application Editor, provides the ability to define roles such as client server etc and define the tasks to be operated on the particular role and Chapter 8, Using the Deployment Editor, is the actual deploying of the topology) ; outputting said page containing said represented objects into a second language model for execution (Using as per above – the Object Model to SNAP programming language).

Correspondence Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Todd Ingberg', with a long, sweeping horizontal line extending to the right.

Todd Ingberg
Primary Examiner
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